

Before the Board of Zoning Adjustment, D. C.

Application No. 12269

Application No. 12269, of Herbert Harris, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a variance from the strict application of Section 3104. The applicant seeks to use the premises as an automobile repair garage and parking lot first (1st) floor in the R-4 District at 1839 - 5th Street, N. W., Lot 68, Square 3094.

HEARING DATE: January 19, 1977

DECISION DATE: January 19, 1977 (Bench Decision)

FINDINGS OF FACT:


1. The subject property is located on an alley lot. It cannot be used for residential purposes.
2. In the last fifty-eight (58) years nonconforming uses have existed on the premises. At first it was a repair garage and later storage and wholesale of retail parts of refrigerator equipment and lumber.
3. Applicant has repaired the building and enclosed the open lot behind the building with a wire fence.
4. Access and egress to the enclosed parking lot is through an alley.
5. Applicant seeks permission to use the building for storage and some automobile repair work. He plans to use the enclosed lot behind the building as a parking lot.
6. There was no opposition to the application.

CONCLUSIONS OF LAW:

Based upon the evidence the Board concludes that the variance can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-0 (William F. McIntosh, Richard L. Stanton
and Leonard L. McCants, Esq).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
ARTHUR B. HATTON
Executive Secretary

FINAL DATE OF ORDER: 4-21-77

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.